

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-12989

OAKLAND COUNTY TREASURER,

Defendant.

ORDER DENYING DEFENDANT'S REQUEST FOR AN EXTENSION OF TIME

Before the court is Defendant Joseph L. Zajac's request for an extension of time to secure counsel. In contravention of the local rules, the request was not accompanied by a brief, nor was there any attempt to first seek concurrence before filing the request. See E.D. Mich. LR 7.1(a),(d). Despite his *pro se* status, Defendant Zajac is aware of the local rules, as exhibited in similar filings he made in the predecessor case to this one. (See Case No. 09-12299, Dkt. ## 18, 19). The Government has filed a response in opposition to the request, and, after considering the filings, the court finds no hearing to be necessary. See E.D. Mich. 7.1(f)(2). The court will deny the request.

The Government initiated this action on July 29, 2010, seeking to enforce the tax liens associated with Defendant Zajac's unpaid taxes and derived from Case Number 09-12299. Defendant Zajac was served on November 18, 2010. After he failed to respond, a clerk's entry of default was entered on December 16, 2010. Defendant Zajac now requests forty-five days to secure counsel and to respond to the Government's complaint. The request comes after the entry of the default, and provides

no basis why the clerk's entry should be set aside, or why an extension is warranted. The court does not find good cause to extend dates in any fashion, nor can the court find any basis to set aside the default. See Fed. R. Civ. P. 55(c). Accordingly,

IT IS ORDERED that Defendant's request for an extension of time [Dkt #] is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 3, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 3, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522